

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**ELIZABETH ALVAREZ-COLON, ET
AL.**

Plaintiffs,

v.

DR ARIEL BERMUDEZ-VERA, et al.

Defendants.

CIVIL NO. 17-2288 (PAD)

MINUTES OF PROCEEDINGS: CONTINUATION OF PRETRIAL CONFERENCE

The continuation of the Pretrial Conference was held today before the undersigned. Present were attorneys Humberto Guzmán-Rodríguez and Alejandra Arnaldy on behalf of plaintiffs; attorney Sigrid López-González on behalf of Dr. Ariel Bermúdez-Vera; and, attorneys Eduardo Ortiz-Declet and Ramonita Dieppa-González, on behalf of Dr. Robert Hunter-Mellado. The parties were available by phone. The conference started at 2:30 p.m. and ended at 4:05 p.m. The following items were discussed.

1. **Settlement**: The court inquired as to the status of settlement negotiations. Regarding Dr. Hunter, attorney Guzmán explained that a revised settlement demand was sent to him through counsel. He counter-offered and plaintiffs replied. During the conference, Dr. Hunter accepted plaintiffs' latest proposal and so informed attorney Ortiz-Declet over the phone. A Notice for Voluntary Dismissal as to Dr. Hunter will be filed by **March 16, 2020**. The parties were warned that no partial judgment will be entered for the reasons stated at Docket No. 114. In connection with Dr. Bermúdez, attorney Guzmán informed that, for strategic reasons, plaintiffs decided not to make a revised

settlement demand prior to the conference. Now that the case has been settled with respect to Dr. Hunter, attorney Guzmán will send a revised settlement offer to attorney López **this afternoon**.

2. **Joint Pretrial Conference Report:** The court inquired as to Dr. Bermúdez' portion of the Report pertaining to factual witnesses (Docket No. 58 at p. 47). Attorney López explained why Dr. Bermúdez was listed as an expert witness, and not as a factual witness. Following discussion, the court noted that Dr. Bermúdez will be considered a factual witness. As to the medical records, the court reminded the parties that all documents not in the English language need to be translated. A meeting to discuss and stipulate medical records will be held on **March 16, 2020 at 1:30 p.m.** in attorney Guzmán's office. The Joint Pretrial Conference Report was approved and adopted as the court's order under Fed. R. Civ. P. 16(e) to govern subsequent proceedings. The parties, however, will file a **Joint Motion** with the stipulations reached – and their scope – not later than **March 20, 2020**.
3. **Motion for partial judgment filed by PRHO at Docket No. 112:** The motion was DENIED without prejudice, as no reasons were provided to the court as to why partial judgment should be entered at this point concerning PRHO as the court had ordered at Docket No. 114.
4. **Follow up Conference:** The parties will contact the undersigned's law clerk if additional court intervention is needed following settlement negotiations with Dr. Bermúdez. The court will then determine if an additional conference is warranted and schedule it accordingly.

Alvarez-Colon et al v. Bermúdez-Vera, et al..

Civil No. 17-2288 (PAD)

Minutes of Proceedings

Page 3

SO ORDERED.

In San Juan, Puerto Rico, this 6th day of March, 2020.

s/Pedro A. Delgado-Hernández

PEDRO A. DELGADO-HERNÁNDEZ

U.S. DISTRICT JUDGE